

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. NO.: 3233-04
BILL NO.: HCS for HB 1242
SUBJECT: Administrative Law; Professional Licenses
TYPE: Original
DATE: February 19, 2000

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Chiropractor Examiners	\$7,500	\$7,750	\$8,000
Total Estimated Net Effect on <u>All</u> State Funds	\$7,500	\$7,750	\$8,000

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 5 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of Administration - Administrative Hearing Commission, Department of Agriculture, Department of Health, Department of Social Services, and Office of the State Courts Administrator** assume the proposed legislation would have no fiscal impact on their agencies.

Officials from the **Department of Economic Development (DED)-Professional Registration (DPR)** assume the proposed legislation would result in an increase to the Chiropractic Examiners Fund from the collection of fees for temporary licenses for chiropractors. DPR officials assume the proposal could result in potential licensure of approximately 150 applicants per year. The projected revenue reflects a \$50 annual fee. In addition, a 3% growth is estimated.

It is assumed the State Board of Chiropractic Examiners can implement this proposal with its existing personal service and expense and equipment appropriations. However, if this legislation would result in a larger number of licensees than expected, additional appropriations in personal service and expense and equipment would be required.

Officials from the **Office of the Secretary of State (SOS)** assume the proposed legislation would require the printing of additional pages in the *Missouri Register* and the *Code of State Regulations* and have estimated a publishing cost of \$2,892 for FY 01. Additionally, future costs are unknown and depends upon the frequency and length of rules filed, amended, rescinded or withdrawn.

While this bill alone would not require SOS to acquire additional staff, SOS assumes the cumulative effect of other bills that require rulemaking may, in the aggregate, necessitate additional staff.

Oversight assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriations process. Any decisions to raise fees to defray costs would likely be made in subsequent fiscal years.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
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**CHIROPRACTIC EXAMINERS
FUND**

DED-Division of Professional
Registration

<u>Income - Licensure Fees/Renewals</u>	<u>\$7,500</u>	<u>\$7,750</u>	<u>\$8,000</u>
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**ESTIMATED NET EFFECT TO
CHIROPRACTOR EXAMINERS
FUND**

<u>\$7,500</u>	<u>\$7,750</u>	<u>\$8,000</u>
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<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
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\$0	\$0	\$0
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FISCAL IMPACT - Small Business

It is expected that small businesses would have a direct fiscal impact as a result of this proposal.

DESCRIPTION

The proposed legislation contains provisions pertaining to the State Committee of Dietitians by expanding the authority of the Committee relating to the issuance and renewal of licenses.

The proposed legislation also allows the Administrative Hearing Commission to place a licensee on probation for a period of up to 5 years or to suspend licenses for up to 3 years. A licensee who has had a license revoked may apply for relicensure one year after the date of revocation. Relicensure will be at the discretion of the Committee.

After July 1, 2000, any person who uses the title of licensed dietitian without being duly licensed will be guilty of a class A misdemeanor.

The proposed legislation would require the Director of the Division of Professional Registration to promulgate rules and regulations relative to the hygiene practice of branding and body piercing.

DESCRIPTION (continued)

The proposal would allow the State Board of Chiropractic Examiners to grant temporary licenses.

The proposed legislation would amend the definition of “supervision” as it relates to physician assistants.

The proposed legislation prohibits any person from receiving a fee for the referral of real estate unless the person is licensed as a broker or salesperson or is regularly engaged in the real estate business in another state or foreign country.

The proposal also requires that reasonable cause be established before any commission is paid by a licensee. Reasonable cause introduces the business to the licensee before a relationship is established between the licensee and the principal to the transaction. Even though reasonable cause exists, it will not guarantee the interested party a legal right to receive compensation.

The proposed legislation would require that termite inspections required by a real estate contract be performed by or under the direct supervision of an individual licensed with the Department of Agriculture.

The proposed legislation requires that a licensee or registrant must receive notice in writing seven days prior to any interviewing or questioning regarding any infraction of or violation of any licensing law.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space. The proposal would affect Total State Revenue.

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SOURCES OF INFORMATION

Office of Administration - Administrative Hearing Commission
Department of Economic Development - Division of Professional Registration
Department of Agriculture
Department of Health
Department of Social Services
Office of the Secretary of State
Office of the State Courts Administrator

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is stylized with a large initial "J" and a cursive "Jarrett".

Jeanne Jarrett, CPA
Director
February 19, 2000